

From: Daniel P. Brown
To: Microsoft ATR
Date: 1/26/02 12:20am
Subject: Microsoft Settlement

Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

January 25, 2002

Dear Ms. Hesse,

Microsoft is a convicted monopolist. Well, adjudicated monopolist, anyway.

This case should not end without a remedy that restores competition.

Any remedy should have four concurrent goals: to put an end to the illegal monopoly; to prevent a return to anticompetitive behavior; to deny the violator the benefits of its illegal actions; and to ensure competition going forward.

Microsoft must be forced to offer a version of Windows unburdened by Microsoft's monopolistic add-ons. The free market, and not Microsoft, must be the mechanism by which emergent technologies are judged.

Microsoft must be permanently banned from forcing independent software vendors and internet service providers into exclusive contracts with Microsoft. Allowing a monopolist to withhold platform support from nascent and independent entrepreneurs is antithetical to the functioning of a free market, and strangles, rather than supports, real competition.

The appointment of a Special Master overseeing Microsoft compliance must be a part of any settlement. The seed which became the 'second' multimillion dollar effort to bring Microsoft into compliance with the law was planted with Microsoft's blatant and arrogant disregard of an earlier toothless compliance decree from the government. This remedy will meet the same expensive end if it is not accompanied by adequate enforcement.

Thank you for your time.

Sincerely,

Dan Brown

Saint Paul, Minn.